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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

8 UNITED STATES OF AMERICA,
9 Plaintiff,
10 vs.
11 CURTIS POPE,
12 Defendant.

Case No. 2:16-CR-070-GMN-VCF

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**STIPULATION TO CONTINUE
SENTENCING DATE**

(Second Request)

IT IS HEREBY STIPULATED AND AGREED, by and between DAYLE ELIESON, United States Attorney, and DANIEL R. SCHIESS, Assistant United States Attorney, counsel for Plaintiff the United States of America, and MICHAEL R. PANDULLO, ESQ., counsel for Defendant CURTIS POPE, that the sentencing currently scheduled for January 19, 2018, at the hour of 8:00 a.m., be vacated and reset to a date and time convenient to this Court, but in no case any sooner than forty five (45) days.

This Stipulation is entered into for the following reasons:

1. Defense counsel needs additional time to gather and submit letters of support.
2. Defendant has supporters who would like to attend his sentencing hearing, but they are unable to attend the sentencing that is currently set for January 19, 2018.
3. Defendant is not in custody and does not object to this continuance.

1 4. Counsel has spoken to Assistant United States Attorney Daniel Schiess and he has
2 no opposition to the continuance.
3 5. The additional time requested herein is not sought for purposes of delay, but merely
4 to allow counsel for Defendant sufficient time within which to effectively and
5 thoroughly prepare for the sentencing hearing.
6 6. Additionally, denial of this request could result in a miscarriage of justice.
7 7. This is the second request to continue this sentencing hearing.

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9 DATED this 17th day of January, 2018.

10 BY:

11 MICHAEL R. PANDULLO, ESQ.

14 /s/ Michael R. Pandullo

15 MICHAEL R. PANDULLO, ESQ.
16 *Attorney for Defendant Curtis Pope*

12 DAYLE ELIESON
13 UNITED STATES ATTORNEY

14 DANIEL R. SCHIESS
15 ASSISTANT UNITED STATES ATTORNEY

16 /s/ Daniel R. Schiess

17 DANIEL R. SCHIESS
18 *Attorney for the United States*

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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,
9 Plaintiff,
10 vs.
11 CURTIS POPE,
12 Defendant.

Case No. 2:16-CR-070-GMN-VCF

**FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND ORDER**

(Second Request)

14 **FINDINGS OF FACT**

15 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
16 Court finds that:

- 17 1. Defense counsel needs additional time to gather and submit letters of support.
- 18 2. Defendant has supporters who would like to attend his sentencing hearing, but they
19 are unable to attend the sentencing that is currently set for January 19, 2018.
- 20 3. Defendant is not in custody and does not object to this continuance.
- 21 4. Counsel has spoken to Assistant United States Attorney Daniel Schiess and he has
22 no opposition to the continuance.

5. The additional time requested herein is not sought for purposes of delay, but merely to allow counsel for Defendant sufficient time within which to effectively and thoroughly prepare for the sentencing hearing.

6. Additionally, denial of this request could result in a miscarriage of justice.

7. This is the second request to continue this sentencing hearing.

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial taking into account the exercise of due diligence.

The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code Sections 3161(h)(1)(A), 361(h)(7) and Title 18, United States Code, Sections 3161(h)(8)(B) and 3161(h)(8)(B)(iv).

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ORDER

IT IS HEREBY ORDERED that sentencing currently scheduled for January 19, 2018, at the hour of 8:00 a.m., be vacated and continued to the 9th day of March, 2018, at the hour of 10:00 a.m. in Courtroom 7C.

DATED this 18 day of January, 2018.

UNITED STATES DISTRICT JUDGE

Submitted by:

/s/ Michael R. Pandullo

MICHAEL R. PANDULLO, Esq.
Attorney for Defendant Curtis Pope